

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

JAMES C. MESELSOHN, on behalf of himself and  
all others similarly situated,

Plaintiff,

-against-

JEFFREY G. LERMAN and  
JEFFREY G. LERMAN, P.C.,

Defendants.

Case No.  
**06-CV-4115(AKT)**

Class Action

**CERTIFICATION FOR ATTORNEYS' FEES  
IN CONNECTION WITH FINAL APPROVAL  
OF THE CLASS ACTION SETTLEMENT**

Under penalties provided by 28 U.S.C. 1746, Stacy M. Bardo deposes and states as follows:

1. I am a member in good standing of the bars of the following courts:

Supreme Court of Illinois  
November 9, 2000

U.S. District Court for the Northern District of Illinois  
Chicago, Illinois  
December 21, 2000

U.S. Court of Appeals, Seventh Circuit  
December 23, 2003

U.S. District Court for the Eastern District of Wisconsin  
December 12, 2007

U.S. District Court for the Northern District of Indiana  
September 18, 2008

2. I have been admitted *pro hac vice* to the following courts:

U.S. District Court for the Eastern District of New York  
U.S. District Court for the Southern District of New York  
U.S. District Court for the District of New Jersey

U.S. District Court Southern District of Alabama  
U.S. District Court for the Northern District of California, San Jose Division  
Supreme Court of the State of New York, County of Queens

3. I am a May 2000 graduate of Loyola University Chicago School of Law and a June 1997 graduate of Northwestern University.
4. Since November of 2000, I have been employed as an attorney at The Consumer Advocacy Center, P.C.
5. In January of 2005, I was made a partner at The Consumer Advocacy Center, P.C.
6. From November of 2000 to the present, my practice has been exclusively focused upon the representation of consumers in both individual and class action lawsuits involving unlawful debt collection practices, consumer fraud, predatory lending, automobile fraud, wrongful repossessions, mortgage foreclosures, credit reporting disputes, and identity theft.
7. I am a member of the Illinois State Bar Association and the Chicago Bar Association, in which I serve as Vice Chair of the Consumer Law Committee. In my capacity as Vice Chair, I have been asked to speak on various consumer law topics, and most recently, prepared written materials and presented them at an Illinois MCLE-accredited seminar entitled, "New Lawyer Tool Kit: Basic Skills for the New Attorney, Consumer Law Issues." I am also an Associate Board member for CARPLS, a Chicago-area free legal services hotline.
8. As a member of the National Association of Consumer Advocates since the year 2000, I was on the Steering Committee for NACA's May 2008 Autofraud Conference and have lectured on issues involving binding mandatory arbitration. I also spoke at the National Consumer Law Center's Fair Debt Collection Practices Act Conference in March of 2008 and March of 2009.
9. I have been and am currently involved in a number of consumer fraud and class action cases, including:
  - *Burns v. First American Bank*, 04 C 7682, class action for violations of the Electronic Fund Transfers Act; U.S. District Court for the Northern District of Illinois;
  - *Case v. Ameritech Services, Inc.*, 02 CH 19210, class action filed for damages and injunctive relief under the Illinois Consumer Fraud Act; Circuit Court of Cook County, Chancery Division;
  - *Fisher v. Quality Hyundai, Inc., Hyundai Motor Finance Company, and GE Capital*, 01 C 3243, brought pursuant to the Equal Credit Opportunity Act, Fair Credit Reporting Act, and Illinois Consumer Fraud Act; U.S. District Court for the Northern District of Illinois;
  - *Flowers v. Unique Insurance Company*, 02 CH 16478, breach of contract

and violations of the Illinois Insurance Code; Circuit Court of Cook County, Chancery Division;

- *Hamilton v. O'Connor Chevrolet, Inc.*, 02 C 1897, brought pursuant to the Magnuson Moss Warranty Act and the Illinois Consumer Fraud Act; U.S. District Court for the Northern District of Illinois;
- *Hill v. The Bureaus, Inc.*, 00 C 7618, Fair Debt Collection Practices Act; U.S. District Court for the Northern District of Illinois;
- *Holman v. Spring Lakes Mobile Home Estates*, 05 CH 3842, class action filed for violations of the Illinois Consumer Fraud Act and the Mobile Home Landlord and Tenant Rights Act; Circuit Court of Cook County, Chancery Division;
- *Huntt v. Security Finance Corporation of Illinois*, 01 CH 00201, brought pursuant to the Illinois Wage Assignment Act and Illinois Consumer Fraud Act; Circuit Court of Cook County, Chancery Division;
- *Kort v. Diversified Collection Services, Inc.*, 01 C 0689, Fair Debt Collection Practices Act; U.S. District Court for the Northern District of Illinois;
- *Lawrence v. Borah, Goldstein*, 04 CV 3066, Fair Debt Collection Practices Act; U.S. District Court for the Southern District of New York;
- *Mailoux v. Arrow Financial Services*, 01 CV 2000, Fair Debt Collection Practices Act; U.S. District Court for the Eastern District of New York;
- *Reifman v. American Agencies*, 00 C 7694, Fair Debt Collection Practices Act; U.S. District Court for the Northern District of Illinois;
- *Rydel v. AT&T Cable Services*, 01 CH 18388, class action filed for damages under the Illinois Consumer Fraud and Deceptive Business Practices Act and for breach of contract; Circuit Court of Cook County, Chancery Division;
- *Safir v. Soulmates, Inc.*, 06 CH 11047, class action filed for fraudulent inducement, Circuit Court of Cook County, Chancery Division;
- *Sanders v. OSI Education Services, Inc.*, 01 C 2081, Fair Debt Collection Practices Act; U.S. District Court for the Northern District of Illinois;
- *Smith, et al. v. Credit Union 1*, 07 C 5939, Electronic Fund Transfers Act; U.S. District Court for the Northern District of Illinois; and
- *Weniger v. Arrow Financial Services, LLC*, 03 C 6213; Fair Debt Collection Practices Act; U.S. District Court for the Northern District of Illinois.

10. I have been designated class counsel in, among others, the following cases:

- *Aidara v. Bank One*, 05 CH 10845, Circuit Court of Cook County, Chancery Division;
- *Ayzelman v. Statewide Credit Services Corp.*, CV 04 3732, U.S. District Court for the Eastern District of New York;
- *Burns v. First American Bank*, 04 C 7682, U.S. District Court for the Northern District of Illinois;

- *Case v. Ameritech Services, Inc.*, 02 CH 19210, Circuit Court of Cook County, Chancery Division;
  - *Falconer v. Asset Acceptance*, 04 C 1846, U.S. District Court for the Northern District of Illinois;
  - *Johnson v. NCA, et al.*, C05-00274, U.S. District Court for the Northern District of California, San Jose Division;
  - *Holman v. Spring Lakes Mobile Home Estates*, 05 CH 3842; Circuit Court of Cook County, Chancery Division
  - *Kort v. Diversified Collection Services, Inc.*, 01 C 0689, U.S. District Court for the Northern District of Illinois;
  - *Machiela v. Trizec Holdings, Inc.*, 05 C 3562, U.S. District Court for the Northern District of Illinois;
  - *Ramirez/Sanchez v. Packey Webb Ford*, 03 CH 06243, Circuit Court of Cook County, Chancery Division;
  - *Richman v. Carol Wright Gifts, et al.*, Index No. 26824/2002, Supreme Court of the State of New York, County of Queens;
  - *Rydel v. AT&T Broadband, LLC*, 00 CH 18388, Circuit Court of Cook County, Chancery Division;
  - *Sanders v. OSI Education Services, Inc.*, 01 C 2081, U.S. District Court for the Northern District of Illinois;
  - *Smith, et al. v. Credit Union 1*, 07 C 5939, U.S. District Court for the Northern District of Illinois;
  - *Weniger v. Arrow Financial Services, LLC*, 03 C 6213, U.S. District Court for the Northern District of Illinois; and
  - *West Washington v. Bodywise, et al.*, 03 CH 18809, Circuit Court of Cook County, Chancery Division.
11. For the years 2008-2009, as a partner of the Consumer Advocacy Center, P.C., I am billing at an hourly rate of \$300.00 per hour for work performed on consumer cases. My rate has most recently been approved as follows: *Polevoy v. Devon Bank*, 08 C 4822, by the Honorable Judge Kennelly of the U.S. District Court for the Northern District of Illinois, Eastern Division, approval granted May 14, 2009; *Ector v. City of Markham*, 07 C 6116, by the Honorable Judge Grady of the U.S. District Court for the Northern District of Illinois, Eastern Division, approval granted December 10, 2008; *Curtis et al., v. Vienna Beef, Ltd.*, 07 CH 27980, by the Honorable Judge Palmer of the Circuit Court of Cook County, Illinois, Chancery Division, order entered October 10, 2008; *Olszowka v. Village of Chicago Ridge*, 07 C 6115, by the Honorable Magistrate Judge Susan E. Cox of the U.S. District Court for the Northern District of Illinois, Eastern Division, approval granted November 12, 2008; and *Starzynski v. Friedman and Wexler, et al.*, 07 C 1254, by the Honorable Chief Judge James F. Holderman, approval granted November 13, 2008.
12. My previous hourly rate, set at \$250.00, was approved by courts in: *Burns v. First American Bank*, 04 C 7682, by the Honorable Judge Kendall of the U.S. District Court for the Northern District of Illinois, Eastern Division, *Mimnaugh v. Toyota Motor Credit Corp., et al.*, 04 C 4607, by the Honorable Judge Mark Filip of the U.S. District Court for

the Northern District of Illinois, Eastern Division, *Minard v. Salberg*, 06 CV 00114, by the Honorable Magistrate Judge Paul R. Cherry of the U.S. District Court for the Northern District of Indiana, Hammond Division, *Richman v. Carol Wright Gifts, et al.* Index No. 26824/2002, by the Honorable Judge Price of the Supreme Court of the State of New York, County of Queens, and *Weniger v. Arrow Financial Services*, 03 C 6213, by the Honorable Judge Kocoras of the U.S. District Court for the Northern District of Illinois, Eastern Division.

13. My 2005-2006 rate of \$230.00 per hour was approved in, among others, *Aidara v. Bank One*, 05 CH 10845, by the Honorable Judge Palmer of the Circuit Court of Cook County, Illinois, Chancery Division, *Gonzalez, et al. v. Diversified Medical Services*, 04 CH 17127, by the Honorable Judge Bronstein of the Circuit Court of Cook County, Chancery Division, *Hagan v. Advance Loans, Inc., et al.*, 04 C 4559, by the Honorable Judge Marovich of the U.S. District Court for the Northern District of Illinois, Eastern Division, *Machiela v. Trizec Holdings, Inc.*, 05 C 3562, by the Honorable Judge Amy St. Eve of the U.S. District Court for the Northern District of Illinois, Eastern Division, and *Falconer v. Asset Acceptance*, 04 C 1846, by the Honorable Judge Robert W. Gettleman of the U.S. District Court for the Northern District of Illinois, Eastern Division.
14. My 2004 hourly rate as an associate was approved in, among others: (a) the case of *Mahler v. The Law Offices of Lawrence Friedman*, 03 C 9108, pending before the Honorable Judge Andersen of the U.S. Dist. Court for the Northern District of Illinois, order entered on March 11, 2004; (b) the case of *Bracken v. Harris & Zide, et al.*, C02 05146, pending before the Honorable Judge Whyte of the U.S. Dist. Court for the Northern District of California, order entered on October 22, 2004; (c) the case of *Ramirez/Sanchez v. Packey Webb Ford*, 03 CH 06243, pending before the Honorable Judge Hall of the Circuit Court of Cook County, Illinois, Chancery Division, order entered on November 15, 2004.
15. My 2003 hourly rate was approved in, among others: (a) the case of *Issac v. Carmax*, 03 C 5271, pending before the Honorable Judge Kennelly of the U.S. Dist. Court for the Northern District of Illinois, order entered on January 29, 2004; (b) *Trang v. HSBC Mortgage Corporation (USA), HSBC Bank USA, and HSBC USA Inc.*, pending before the Honorable Judge Patricia P. Satterfield, Supreme Court of the State of New York, Queens County, order entered on June 13, 2003.
16. On this file, my contemporaneously kept time records reflect that I spent 5.6 hours of time, equating to \$1,680.00.
17. Pursuant to 28 U.S.C. 1746, I, Stacy M. Bardo, do hereby certify under penalties of perjury, that the above statements are true and correct.

Executed in Chicago, Illinois, on July 22, 2009

/s/ Stacy M. Bardo